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**From:** Robert Rutkowski [r\_e\_rutkowski@att.net]  
**Sent:** 8/27/2019 5:56:38 PM  
**To:** Wheeler, Andrew [wheeler.andrew@epa.gov]  
**Subject:** Rollback of SO2 pollution standards for Texas Coal plants

The Honorable Andrew Wheeler, Administrator  
 U.S. Environmental Protection Agency Headquarters  
 William Jefferson Clinton Building  
 1200 Pennsylvania Ave., NW; Mail Code 1101A  
 Washington, DC 20460  
 wheeler.andrew@epa.gov

Re: Rollback of SO2 pollution standards for Texas Coal plants

Dear Administrator Wheeler:

Yesterday, the Environmental Protection Agency (EPA) proposed to ???correct??? (more accurately, abandon) its determination that three areas around the largest and dirtiest coal plants in Texas--Luminant???s Martin Lake, Big Brown, and Monticello plants--are failing to meet the public health standards set for sulfur dioxide (SO2) pollution. EPA???s action today, if finalized, would rollback important public health safeguards for the communities surrounding the nation???s largest source of SO2 pollution, the Martin Lake coal-burning power plant, even though all the available monitoring and modeling data demonstrate that air quality surrounding the plant is unhealthy to breathe.

After designating the areas surrounding Luminant???s coal plants as violating the health-based national standard for SO2 pollution, EPA never took steps to address the dangerous levels of pollution caused by those plants. In 2018, Luminant retired two of its highest-polluting and most uneconomic plants--Big Brown and Monticello-- but the Martin Lake power plant continues to operate and is now the largest source of dangerous sulfur dioxide pollution in the country. And nearly three years after EPA determined that the air in the county surrounding Martin Lake is unsafe to breathe, there is still no plan in place to address this pollution. On Tuesday, August 20, 2019, the Sierra Club announced its intent to sue the Administrator of the U.S. Environmental Protection Agency (EPA) for the failure to comply with the Clean Air Act and fulfill the requirement to clean up the continuing dangerous sulfur dioxide (SO2) pollution.

EPA???s proposed rollback of public health protections for Texas is based on purported errors that the State of Texas and Luminant identified with the air quality modeling underlying EPA???s initial designations. But EPA was aware of, and rejected or addressed, those criticisms when the agency issued the initial rule. In fact, the only new information available since the initial designations confirms that the area surrounding Martin Lake is violating the health based SO2 standard. Indeed, an air quality monitor approved by Texas and EPA, and installed near the Martin Lake power plant, confirms, based on the last three years of data, that pollution from the Martin Lake coal plant is creating unsafe air quality for the people of Texas.

This rulemaking is EPA???s latest effort to undermine the rule of law by attempting to ignore the present air quality issues and rewrite the solid technical record that supports EPA???s earlier nonattainment designations. Meanwhile, emissions near Martin Lake demonstrate that this site continues to violate the health standard and is emitting more pollution than before. SO2 pollution from Martin Lake has more than doubled since 2016, and the plant is now the single largest emitter of dangerous sulfur dioxide in the country. Instead of ignoring this pollution, EPA should solve problems and require this plant to clean up its act.

Yours sincerely,  
 Robert E. Rutkowski

cc:  
 Representative Steny Hoyer  
 House Majority Leader

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